

**O'BANION & RITCHEY LLP**  
INTELLECTUAL PROPERTY ATTORNEYS

Wells Fargo Center  
400 Capitol Mall, Suite 1550  
Sacramento, California 95814  
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**FAX RECEIVED**

NOV 20 2001

**GROUP 1600**

November 19, 2001

**TELECOPIER TRANSMITTAL SHEET****TELCOPY TO:** Technology Center 1600**FAX NUMBER:** 703-872-9306**FROM:** Jerry King for John P. O'Banion**RE:** 09/927,428**MESSAGE:** In view of recent news release, please find enclosed a copy of :

- 1) Return card;
- 2) Submission of missing parts of application (Page 1 thru 3);
- 3) Notice to file missing parts of application (Page 1);
- 4) Combined Declaration and power of attorney (Page 1 thru 5);
- 5) Power of Attorney by assignee (Page 1);
- 6) Assignee Certification (Page 1);
- 7) PTO-1449 (Page 1);
- 8) Check in the amount of 975.00;
- 9) Transmittal of Substitute formal drawings (Page 1);
- 10) Substitute formal drawings (Page 1);
- 11) Assignment Cover Letter and Assignment (Page 1 thru 5) and;
- 12) Check in the amount of 40.00.

[X] Original was mailed via first class mail on November 14, 2001.

[ ] Original will follow by:

The information contained in this facsimile is highly confidential and may also be subject to attorney-client privilege. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any use, distribution or copying of this communication is strictly prohibited. If you have received this in error, please notify us immediately by calling collect, and destroy this copy. Thank you.

**NUMBER OF PAGES SENT (INCLUDING COVER SHEET): 31****IF THERE ARE ANY PROBLEMS OR QUESTIONS, PLEASE CONTACT US AT (916) 498-1010. OUR FAX NO. IS (916) 498-1074.**

DOCUMENT16

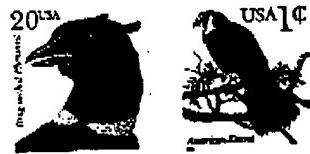
The United States Patent and Trademark Office mail room stamp hereon acknowledges receipt of the following items:

For: **METHOD FOR NANOMACHINING HIGH ASPECT RATIO STRUCTURES**  
In the names of **WENBING YUN; JOHN SPENCE; HOWARD A. PADMORE; ALASTAIR A.  
MacDOWELL; MALCOLM R. HOWELLS**  
Serial No. 09/927,428

1. Submission of Missing Parts of Application (Page 1 thru 3);
2. Notice to File Missing Parts of Application Filing Date Granted (Page 1);
3. Combined Declaration and Power of Attorney (Page 1 thru 5);
4. Power of Attorney by Assignee and Election of Inventors Under 37 C.F.R. 3.71 (Page 1);
5. Assignee Certification Under 37 C.F.R. 3.73(b) (Page 1);
6. PTO Form 1449 (Page 1);
7. Citation(s);
8. Check in the amount of \$975 (\$910 filing fees and \$65 surcharge for the fees due as a small entity);
9. Transmittal of Substitute Formal Drawings (Page 1);
10. Substitute Formal Drawings (1 Sheet);
11. Assignment (Document) Cover Letter (Page 1 thru 3);
12. Assignment (Page 1 & 2) and;
13. Check in the amount of \$40 assignment recording fee.

Date Mailed: November 14, 2001  
Attorney: John P. O'Banion  
Docket No.: LBL-IB-1498-1

THE UNITED STATES PATENT AND TRADEMARK OFFICE



John P. O'Banion  
O'BANION & RITCHEY LLP  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814

**PATENT**

Docket No.: LBL-IB-1498

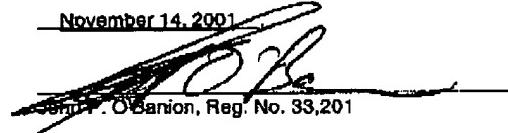
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: WENBING YUN; JOHN SPENCE; HOWARD A. PADMORE; ALASTAIR A.  
MacDOWELL; MALCOLM R. HOWELLS  
Serial No.: 09/927,428  
Filed: AUGUST 9, 2001  
For: METHOD FOR NANOMACHINING HIGH ASPECT RATIO STRUCTURES  
Group:  
Examiner:

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

November 14, 2001

  
John J. O'Banion, Reg. No. 33,201

November 14, 2001

Date of Signature

**BOX MISSING PARTS**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

**SUBMISSION OF MISSING PARTS OF APPLICATION  
UNDER 37 C.F.R. § 1.53**

Dear Sir:

In response to the Notice to File Missing Parts of Application (PTO-1538) mailed September 17, 2001, a copy of which is enclosed, please find the following documents which are incorporated by reference herein:

1. Combined Declaration and Power of Attorney;
2. Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. 3.71;
3. Assignee Certification Under 37 C.F.R. 3.73(b);
4. PTO Form 1449;
5. Copies of Citations Listed on PTO Form 1449;

Page 1

6. Check in the amount of \$975 (\$910 filing fees and \$65 surcharge for the fees due as a small entity);
7. Transmittal of Substitute Formal Drawings;
8. Substitute Formal Drawings;
9. Assignment Cover Letter;
10. Assignment;
11. Check in the amount of \$40 (assignment recording fee).

The amount due for the filing fees and surcharge has been computed as follows:

CLAIMS AS FILED						
	Number filed		Number Extra		Rate	Basic Fee \$ 740.00
Total						
Claims 37 CFR 1.16(c)	80	- 20	=	60	X	\$18.00 = 1,080.00
Independent						
Claims (37 CFR 1.16(b))	3	- 3	=	0	X	\$84.00 =
Multiple dependent claim(s), if any (37 CFR 1.16(d))					+	\$280.00 =

Filing Fee Calculation	\$ 1,820.00
Surcharge	\$ 130.00
<b>TOTAL FILING FEE</b>	<b>\$ 1,950.00</b>

**Small Entity Statement(s)**

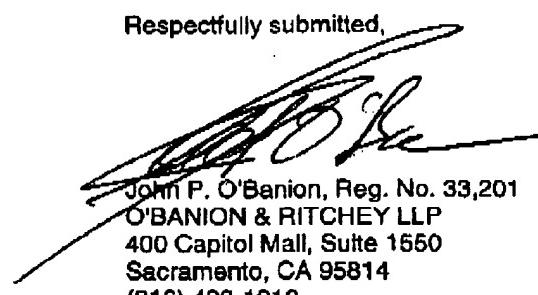
<input checked="" type="checkbox"/> Applicant qualifies as a small entity under 37 CFR 1.9 and 1.27.	\$ 975.00
<b>Filing Fee Calculation (50% of above)</b>	<b>\$ 975.00</b>
Amount already paid	LESS (\$ _____)
<b>TOTAL FILING FEES DUE</b>	<b>\$ 975.00</b>
<input checked="" type="checkbox"/> Assignment recording fee	\$ 40.00
— Petition fee	\$ 0
<b>TOTAL FEES DUE</b>	<b>\$ 1,015.00</b>

Please charge any additional fees due to deposit account no. 07-1137.

Having now complied with all of the requirements of 37 C.F.R. 1.53, the Applicants respectfully request that this application be placed upon the files for examination.

Dated: November 14, 2001.

Respectfully submitted,



John P. O'Banion, Reg. No. 33,201  
O'BANION & RITCHIEY LLP  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814  
(916) 498-1010

## TRANSMITTAL OF FORMAL DRAWINGS

Docket No.  
LBL-IB-1498-1

In Re Application Of: WENBING YUN ET AL.

Serial No.	Filing Date	Batch No.	Examiner	Art Unit
09/927,428	AUGUST 9, 2001			1765
Invention: METHOD FOR NANOMACHINING HIGH ASPECT RATIO STRUCTURES				

Address to:  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

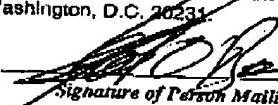
Transmitted herewith are:

1 (one) sheets of formal drawing(s) for this application.

Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c)  
 on the reverse side of the drawing.
  
 Signature  
 JOHN P. O'BANION, REG. NO. 33,201  
 O'BANION & RITCHIEY LLP  
 400 CAPITOL MALL, SUITE 1550  
 SACRAMENTO, CA 95814  
 (916) 498-1010

Dated: November 14, 2001

I certify that this document and attached formal drawings  
 are being deposited on November 14, 2001 with the  
 U.S. Postal Service as first class mail under 37 C.F.R. 1.8  
 and addressed to the Assistant Commissioner for Patents,  
 Washington, D.C. 20231

  
 Signature of Person Mailing Correspondence
 JOHN P. O'BANION  
 Typed or Printed Name of Person Mailing Correspondence

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): WENBING YUN ET AL.

Docket No.

LBL-JB-1498-1

Serial No.  
09/927,428Filing Date  
AUGUST 9, 2001

Examiner

Group Art Unit  
1768

Invention: METHOD FOR NANOMACHINING HIGH ASPECT RATIO STRUCTURES

I hereby certify that this Substitute Formal Drawings (Sheet 1)

(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

November 14, 2001

(Date)

JOHN P. O'BANION

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/927,428	08/09/2001	Wenbing Yun	LBL-IB-1498-1

**CONFIRMATION NO. 6387****FORMALITIES LETTER**

\*OC00000006564847\*

John P. O'Banion  
 O' BANION & RITCHIEY LLP  
 Suite 1550  
 400 Capitol Mall  
 Sacramento, CA 95814

Date Mailed: 09/17/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION****FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$540.
  - \$540 for 60 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 960.

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*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**  
Applicant(s): WENBING YUN ET AL.

Docket No.

LBL-IB-1498-1

Serial No.  
09/927,428Filing Date  
AUGUST 9, 2001

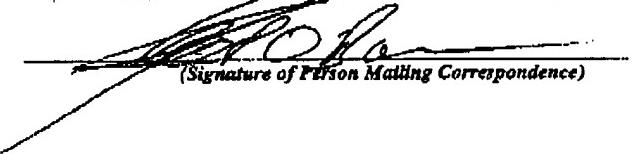
Examiner

Group Art Unit  
1765

Invention: METHOD FOR NANOMACHINING HIGH ASPECT RATIO STRUCTURES

I hereby certify that this Notice to file missing parts of nonprovisional application (Page 1)  
*(Identify type of correspondence)*

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The  
Assistant Commissioner for Patents, Washington, D.C. 20231 on November 14, 2001  
*(Date)*

JOHN P. O'BANION*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*

Note: Each paper must have its own certificate of mailing.